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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,125	10/10/2003	Xiao Zhang	ROC920030245US1	2745

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IBM CORPORATION, INTELLECTUAL PROPERTY LAW
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3605 HIGHWAY 52 NORTH
ROCHESTER, MN 55901-7829

EXAMINER

MYHRE, JAMES W

ART UNIT	PAPER NUMBER
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3622

MAIL DATE	DELIVERY MODE
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12/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/684,125

Applicant(s)

ZHANG, XIAO

Examiner

James W. Myhre

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/15/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the initial filing of October 10, 2003. Claims 1-32 are currently pending and have been considered below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Henson (6,167,383).

Claims 1, 5, 6, 9, 16, 17, and 23-25: Henson discloses a system, program, and method for cross-selling products based on a system configuration, comprising:

- a. receiving an order (product selection) from a user (Figures 3a-3c; column 4, lines 41-47; and column 6, lines 18-43);
- b. determining if there are one or more cross-sells based on the ordered products and the state (configuration) of the system (column 10, lines 30-48);
- c. presenting the cross-sells to the user based on the state (configuration) of the system (column 6, lines 39-43; column 7, lines 22-41; and column 9, line 40 – column 10, line 18); and

d. calculating the price of the newly configured system (Figures 3a-3c).

Claims 2 and 18: Henson disclose a method and program as in Claims 1 and 16 above, and further discloses the order (products) have been processed to verify the validity (compatibility) of the system (column 10, lines 30-48).

Claims 3, 12, 13, and 19: Henson discloses a method and program as in Claims 1, 9, and 16 above, and further discloses that the individual products have been validated to ensure compatibility with the system so that the system can operate properly (Figures 3a-3c and column 7, line 57 – column 8, line 44).

Claims 4, 11, 20 and 28: Henson discloses a system, method, and program as in Claims 1, 9, 16, and 24 above, and further discloses qualifying the order is based on predefined conditions (column 10, lines 30-48).

Claims 7, 14, 21, and 29: Henson discloses a system, method, and program as in Claims 1, 9, 16, and 24 above, and further discloses presenting the cross-sell products via a graphical user interface (GUI) (column 6, lines 39-43; column 7, lines 22-41; and column 9, line 40 – column 10, line 18).

Claims 8, 10, 15, 22, and 30: Henson discloses a system, method, and program as in Claims 7, 9, 14, 21, and 24 above, and further discloses a selectable graphical element

that enables the user to add one or more of the cross-sell products to the system (Figures 3a-3c).

Claims 26 and 27: Henson discloses a system as in Claim 24 above, and further discloses the source of the product information and the cross-sell product information comprises product data and associated logic are from the same information source (Dell Computers)(column 6, lines 39-43; column 7, lines 22-41; and column 9, line 40 – column 10, line 18).

Claim 31: Henson discloses a system as in Claim 24 above, and further discloses displaying the user selections representing the configured state of the computer system (Figures 3a-3c and 6; and column 9, line 40 – column 10, line 18).

Claim 32: Henson discloses a system as in Claim 31 above, and further discloses that the individual products have been validated to ensure compatibility with the system so that the system can operate properly (Figures 3a-3c and column 7, line 57 – column 8, line 44).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Abrahams (6,618,714) discloses a system, method, and program for recommending components based on their compatibility with the system being ordered.
- b. Layton et al(6,754,816) discloses a system, method, and program for customizing a system for a user based on the system configuration.
- c. House et al (6,785,805) discloses a system, method, and program for configuring a measurement/testing system based on the compatibility of the components.
- d. Schmit et al (6,879,926) discloses a system, method, and program for creating high-performance applications which takes into account the compatibility of the various components.
- e. Lee (6,985,876) discloses a system, method, and program for a user to visually view and configure a customized product for purchase.
- f. Notz et al (7,016,864) discloses a system, method, and program for using upsell messages for assisting a user while configuring a system to buy on-line. Once the user is done, the configured system is place in a shopping cart from which the user may view, adjust, and/or purchase the system.
- g. Dentel et al (7,062,451) discloses a system, method, and program for facilitating the purchase of compatible products using a GUI to present compatible cross-sell products from which the user may select.
- h. Hamilton (EP 0,793,170A1) discloses a system, method, and program automatic configuration of home network computers that verifies the compatibility of the components, connections, and network components.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W. Myhre whose telephone number is (571) 272-6722. The examiner can normally be reached on Monday through Thursday 6:00-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JWM

November 28, 2007



James W. Myhre
Primary Patent Examiner